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**For VFCA  
Members**

**Montana Public Employee Retirement Administration**

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# Retirement Legislation

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**T**his publication provides information for members of the **Volunteer Firefighters' Compensation Act**, administered by the Montana Public Employee Retirement Administration (MPERA).

The MPERA administers the Volunteer Firefighters' Compensation Act (VFCA). Two pieces of legislation provide enhancements for members of the VFCA as summarized below.

## 2001 Legislation for VFCA

### Retirement Benefit Increase

House Bill (HB) 523, sponsored by Representative James Whitaker, increases the pension benefit from \$100 to \$150 a month for retirees of the VFCA. A partial benefit is calculated by multiplying the full pension benefit by a fraction consisting of a member's years of service as the numerator and 20 as the denominator.

### Return to Active Service

In the past, retirees have not been allowed to return to active service under any circumstances without the loss of retirement benefits. The 2001 Legislature, through HB 515, sponsored by Representative Larry Lehman, amends the law. In the event of a declared national, state, or local emergency affecting Montana, a retired volunteer firefighter who is not receiving a disability benefit under the VFCA may return to active service with a fire company for the duration of the declared emergency. Retirees can return to service without becoming an active member of the Volunteer Firefighters' Compensation Act and with-

out loss of benefits. The fire chief has the sole responsibility of deciding who may return to active service after an emergency has been declared.

### VFCA Defined . . .

*Title 19, Chapter 17, of the Montana Code Annotated (MCA) applies to the Volunteer Firefighters' Compensation Act (VFCA).*

Volunteer Fire Departments formed in unincorporated areas must be qualified by the requirements set forth in MCA 19-17-102(8). The VFCA is funded by the general fund of the State of Montana and the funds are invested through the Board of Investments. Benefits are paid by the MPERA. The MPERA oversees the VFCA and questions concerning the VFCA should be directed to the MPERA office.

The member does not have to be an active member of the fire company when retirement age is attained. A member must have credit of at least 20 years of service and attained age 55 or a member who has completed at least 10 years of service must have attained age 60.

**Judy Martz, Governor**

**Public Employees'  
Retirement Board**

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*This is an official  
publication of the Montana  
Public Employee  
Retirement Administration  
(MPERA).*

*Should any information in this  
newsletter conflict with statute  
or rules, the statute or rules  
will apply.*

## Fire Department Relief Associations

Due to the numerous types of volunteer firefighters in Montana and the possibility for misunderstanding, the following information is provided for the Fire Department Relief Associations. The **Local Government Services Bureau of the Department of Administration, not MPERA, oversees the Fire Department Relief Associations.** Information on the Relief Associations is summarized below:

*Title 19, Chapter 18, of the Montana Code Annotated (MCA) applies to Fire Department Relief Associations.*

The Local Government Services Bureau of the Department of Administration or the State Auditor's Office should be contacted with questions concerning Relief Associations. Relief Associations, within the limitations set by law (§ 19-18-208 and 19-18-402, MCA), independently choose how to invest their funds and pay benefits from the invested funds when members retire. In accordance with 19-18-602, MCA, a member of a Relief Association is not eligible to receive a service pension until reaching age 50.

### We've Moved!

As you may have heard, the MPERA moved in April. We welcome the opportunity to serve our members. **It would be most helpful for staff if you would make an appointment in advance when you are planning to visit our office.** Please call our receptionist toll free at 1-877-275-7372, or in Helena, call 444-3154 to schedule your appointment. Below is a map of downtown Helena, showing our new location at: **100 North Park Avenue, Suite 220.** Our new location is identified. (Visitor parking is designated in the upper level parking lot on the West side of the building.)





